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ATTORNEYS FOR PROPOSED
INTERVENORS COALITION ON
HOMELESSNESS

16
17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 HASTINGS COLLEGE OF THE LAW, a public trust
20 and institution of higher education duly organized
under the laws and the Constitution of the State of
21 California; FALLON VICTORIA, an individual;
RENE DENIS, an individual; TENDERLOIN
22 MERCHANTS AND PROPERTY ASSOCIATION, a
business association; RANDY HUGHES, an
individual; and KRISTEN VILLALOBOS, an
individual,

23 Plaintiffs,

24 v.

25 CITY AND COUNTY OF SAN FRANCISCO, a
26 municipal entity,

27 Defendant.

28 Case No. 4:20-cv-3033-JST

NOTICE OF MOTION AND
MOTION FOR ORDER
SHORTENING TIME TO
HEAR INTERVENTION

Date:

Time:

Place: Courtroom 6, Second Floor
Judge: Hon. Jon S. Tigar

Complaint Filed: May 4, 2020
Trial Date: None Set

NOTICE OF MOTION AND MOTION

2 PLEASE TAKE NOTICE that pursuant to Rule 6(c)(1)(C) of the Federal Rules of Civil
3 Procedure and Rules 6-3 and 7-2(a) of the Local Civil Rules of this Court, Proposed Intervenors
4 HOSPITALITY HOUSE, COALITION ON HOMELESSNESS, and FAITHFUL FOOLS
5 hereby move for an Order in the form submitted herewith for an order shortening time for the
6 hearing on Proposed Intervenors' Motion for Intervention in *Hastings College of the Law, et al.*
7 *v. City and County of San Francisco*, case no.: 4:20-cv-03033-JST.

8 This Motion to Shorten Time is made on the ground that good cause supports an order
9 shortening time, in that the parties in the case have quickly started settlement negotiations. This
10 Motion is supported by the accompanying Memorandum of Points and Authorities, *infra*; and
11 any oral argument this Court may allow, and any other matter of which this Court takes notice.

MEMORANDUM OF POINTS AND AUTHORITIES

13 Proposed Intervenors Coalition on Homelessness, Faithful Fools, and Hospitality House
14 respectfully move for an Order Shortening Time, pursuant to Civil Rule 6-3, for the Court to hear
15 Proposed Intervenors' Motion to Intervene, filed concurrently.

16 People experiencing homelessness in the Tenderloin District are the subjects of this case,
17 yet they are not being represented by the existing parties. Plaintiffs seek the removal of
18 unhoused persons, their tents, and their property from the Tenderloin District. Any resolution of
19 Plaintiffs' claims, whether through court order or settlement agreement, will substantially impact
20 the lives and property of homeless residents, and will implicate their civil and constitutional
21 rights.

22 Although there are no substantive hearings currently on calendar, Proposed Intervenors
23 submit this request for an Order Shortening Time because settlement negotiations are taking
24 place at an unusually rapid pace. Plaintiffs filed their Complaint on May 4, 2020, a little over a
25 month ago, and Defendants have not yet filed a response. However, the current parties have
26 participated in six settlement conferences, sometimes several taking place in the same week.
27 Unhoused persons will likely suffer prejudice or substantial harm if their interests are not
28 represented in the settlement negotiations.

1 Counsel for Proposed Intervenors contacted both Plaintiffs' and Defendant's counsel to
2 see if they would not oppose Proposed Intervenors' Motion for Intervention. Neither counsel
3 would agree to not oppose at this time. Proposed Intervenors also sought an estimate from the
4 City Attorney of how close the parties were to resolution of all issues, but were unable to learn
5 this information. Given the pace of settlement conferences thus far, Proposed Intervenors will be
6 prejudiced and may suffer substantial harm if their Motion for Intervention is not heard on a
7 shortened calendar. Proposed Intervenors are not yet parties to the case and so did not request
8 the parties' stipulation to this request to shorten time.

9 Proposed Intervenors filed their Motion to Intervene on June 9, 2020. The next available
10 motion date per this Court's calendar is July 22, 2020 at 2:00 p.m. An order shortening time
11 would have no effect on the schedule for the case, as there are no other motions or hearings
12 scheduled other than a case management conference on June 19, 2020. Civil L.R. 6-3(a)(6).

13 Pursuant to Civil Local Rule 6-3, Proposed Intervenors submit in support of this Motion,
14 Exhibit A, Declaration of Lauren Hansen and Exhibit B, Proposed Order Shortening Time.

17 || DATED: June 9, 2020 Respectfully submitted,

PUBLIC INTEREST LAW PROJECT
DISABILITY RIGHTS CALIFORNIA
BAY AREA LEGAL AID

By:

LAUREN HANSEN
Attorneys for Proposed Intervenors